

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on March 26, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: Rep. Chris Ahner (R)

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: SB-477-Be Concurred in, SB
481-Be Concurred in, SB 486-Be

Concurred in as amended; SB
503-Be Concurred in, SB 505-Be
Concurred in as amended; SB
463-Be Concurred in, SB 473-Be
concurred in, SB 33-Be
Concurred in; SB 36-Be
concurred in as amended

EXECUTIVE ACTION ON SB 477

Motion/Vote: REP. WILLIAMS moved that SB 477 BE CONCURRED IN.
Motion carried 16-3 with Jore, McGee, and Wyatt voting no.
(Rep. Ahner absent)
{Tape : 1; Side : A; Approx. Time Counter : 31 - 96}

EXECUTIVE ACTION ON SB 481

Motion/Vote: REP. ANDERSON moved that SB 481 BE CONCURRED IN.
Motion carried 17-2 with Jore and Wyatt voting no.
(Rep. Ahner absent)
{Tape : 1; Side : A; Approx. Time Counter : 96 - 114}

EXECUTIVE ACTION ON SB 486

Motion: REP. SHOCKLEY moved that SB 486 BE CONCURRED IN.
Rep. Molnar not present; action is postponed until later in
meeting.
{Tape : 1; Side : A; Approx. Time Counter : 114 - 125}

EXECUTIVE ACTION ON SB 503

Motion: REP. ANDERSON moved that SB 503 BE CONCURRED IN.
Motion/Vote: REP. ANDERSON moved that SB 503 BE TABLED. Motion
failed 8-11 with P. Clark, Curtiss, Eggers, Facey, Gallus,
Gutsche, Hurdle, Kitzenberg, Shockley, Williams, and Wyatt voting
aye.
(Rep. Ahner absent)
Vote: Motion that SB 503 BE CONCURRED IN carried 10-9 with
Anderson, R. Clark, Curtiss, Jore, McGee, Molnar, Noennig, Soft,
and Younkin voting no.
(Rep. Ahner absent)
{Tape : 1; Side : A; Approx. Time Counter : 125 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 171}

EXECUTIVE ACTION ON SB 505

Motion: REP. ANDERSON moved that SB 505 BE CONCURRED IN.

Motion/Vote: REP. ANDERSON moved that SB 505 BE AMENDED. Motion failed 6-12 with P. Clark, Curtiss, Eggers, Facey, Gallus, Gutsche, Hurdle, Kitzenberg, Noennig, Williams, Wyatt, and Younkin voting no.

Motion/Vote: REP. WYATT moved that SB 505 BE AMENDED SEGREGATING SECTION 3. Motion carried 18-0.

Motion/Vote: REP. WYATT moved that SB 505 BE AMENDED LEAVING IN JULY 1, 1999 DATE. Motion carried 18-0.

(Rep. Ahner absent, Rep. Soft no proxy for amendments)

Motion/Vote: REP. ANDERSON moved that SB 505 BE CONCURRED IN AS AMENDED. Motion carried 12-7 with Anderson, R. Clark, Curtiss, Jore, McGee, Molnar, and Shockley voting no.

(Rep. Ahner absent)

{Tape : 1; Side : B; Approx. Time Counter : 171 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 360}

EXECUTIVE ACTION ON SB 463

Motion/Vote: REP. FACEY moved that SB 463 BE CONCURRED IN. Motion carried 19-0.

(Rep. Ahner absent)

{Tape : 2; Side : A; Approx. Time Counter : 360 - 421}

EXECUTIVE ACTION ON SB 473

Motion/Vote: REP. YOUNKIN moved that SB 473 BE CONCURRED IN. Motion carried 19-0.

(Rep. Ahner absent)

{Tape : 2; Side : A; Approx. Time Counter : 421 - 550}

EXECUTIVE ACTION ON SB 198

Motion: REP. CURTISS moved that SB 198 BE CONCURRED IN.

Motion: REP. SHOCKLEY moved that SB 198-BE AMENDED and LATER WITHDREW SAME AMENDMENT.

Motion/Vote: REP. SHOCKLEY moved that SB 198 BE AMENDED-DIFFERENT AMENDMENT. Motion carried 19-0.

(Rep. Ahner absent)

Motion/Vote: REP. CURTISS moved that SB 198 BE CONCURRED IN AS AMENDED. Motion failed 9-10 with R. Clark, Curtiss, Gallus, Jore, Kitzenberg, McGee, Molnar, Noennig, Soft, and Younkin voting aye.

(Rep. Ahner absent)

{Tape : 3; Side : A; Approx. Time Counter : 0 - 265}

(INADVERTENTLY TAPE 2 SIDE B WAS NOT UTILIZED, AND RECORDING STARTED ON TAPE 3 SIDE A FOR SB 198.)

EXECUTIVE ACTION ON SB 486

Motion: REP. MOLNAR moved that SB 486 BE CONCURRED IN.

EXHIBIT (juh68a0

1)

Motion: REP. MOLNAR moved that SB 486 BE AMENDED.

Motion: REP. NOENNIG moved that SB 486-BE AMENDED; SEPARATING AMENDMENT #4 FROM REST OF AMENDMENTS. MOLNAR AMENDMENTS # 1-3 FAILED ON A VOICE VOTE. MOLNAR AMENDMENT #2 FAILED ON A VOICE VOTE. REP. MOLNAR WITHDREW HIS AMENDMENT FOR #4.

Motion/Vote: REP. NOENNIG moved that SB 198 BE AMENDED. Motion carried 19-0.

Motion/Vote: REP. MOLNAR moved that SB 486 BE CONCURRED IN AS AMENDED. Motion carried 17-2 with R. Clark and Jore voting no.

(Rep. Ahner absent)

{Tape : 3; Side : A; Approx. Time Counter : 265 - 999}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 172}

COMMITTEE JOINT RESOLUTION

REP. WYATT discussed and handed out a packet of information for the committee to consider for the resolution she proposes regarding the managed health care crisis that has evolved during this session.

EXHIBIT (juh68a0

2)

Much discussion from the members of the committee regarding what is happening currently with the Magellan Health Care Contract.

Rep. Soft has been attending committee meetings and informed the committee as to the latest information.

The House Judiciary Committee voted unanimously to proceed with a Bill Draft Request. Rep. Wyatt will carry on the floor after an additional meeting with the House Judiciary Committee.

{Tape : 3; Side : B; Approx. Time Counter : 172 - 550}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 28}

EXECUTIVE ACTION ON SB 33

Motion: REP. SHOCKLEY moved SB 33-RECONSIDER AND REMOVE FROM TABLED STATUS. MOTION PASSED with 11-8 vote. Reps. Williams, Facey, Gallus, Eggers, Hurdle, Younkin, Gutsche, P. Clark voting no.

(Rep. Ahner absent)

Motion: REP. SHOCKLEY moved that SB 33 BE CONCURRED IN.

Motion/Vote: REP. KITZENBERG moved that SB 33 BE AMENDED. Motion failed 4-15 on a hand vote.

(Rep. Ahner absent)

Motion/Vote: REP. SHOCKLEY moved that SB 33 BE CONCURRED IN.

Motion carried 10-9 with P. Clark, Eggers, Facey, Gallus, Gutsche, Hurdle, Kitzenberg, Williams, and Wyatt voting no.

(Rep. Ahner absent)

{Tape : 4; Side : A; Approx. Time Counter : 28 - 406}

EXECUTIVE ACTION ON SB 36

Motion: REP. SOFT moved SB 36-TO RECONSIDER AND REMOVE FROM TABLED STATUS.

EXHIBIT (juh68a0

3)

MOTION PASSES TO RECONSIDER.

Motion: REP. SOFT moved that SB 36 BE CONCURRED IN.

Motion: REP. SOFT moved that SB 36 BE AMENDED.

MOTION PASSES ON A VOICE VOTE.

Motion/Vote: REP. SOFT moved that SB 36 BE CONCURRED IN AS AMENDED. Motion carried 15-3 with REPS. HURDLE, JORE, MCGEE voting no.

(Rep. Ahner and Kitzenberg absent)

{Tape : 4; Side : A; Approx. Time Counter : 406 - 550}

{Tape : 4; Side : B; Approx. Time Counter : 0 - 156}

Meeting adjourned.

ADJOURNMENT

Adjournment: 11:30 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh68aad)